

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

FILED IN CLERK'S OFFICE  
U.S.D.C. - Atlanta

APR 03 2017

JAMES A. BATTEN, Clerk  
By: *[Signature]*  
Deputy Clerk

TONY L. WARE and TRICIA ORTIZ  
as legal owners and investors,

Plaintiffs,

v.

WACHOVIA BANK, N.A.

Defendant.

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CIVIL ACTION

FILE NUMBER: 1:17-CV-01165-MHC

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**DISMISSAL WITHOUT PREJUDICE**

COMES NOW, Dr. TONY L. WARE and TRICIA ORTIZ the Plaintiff in this action pursuant to Fed.R.CivP. 41(a)(1)(A)(i) in the above-styled civil action and hereby voluntarily dismiss this civil action against the above-named Defendant, WACHOVIA BANK, N.A. without prejudice as a matter of right.

Respectfully submitted this 3rd, day of April 2017.

*[Signature of Dr. Tony L. Ware]*

Dr. Tony L. Ware, PhD, JD, PRO SE  
Attorney for the Plaintiff <sup>1</sup>

*[Signature of Mrs. Tricia Ortiz]*

Mrs. Tricia Ortiz, PRO SE  
Attorney for the Plaintiff

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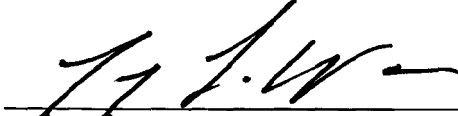
<sup>1</sup> Georgia Uniform Superior Court Rules, Rule 2.1. Attorney states that:  
"The word "attorney" as used in these rules refers to any person admitted to practice in the superior courts of Georgia, and to any person who is permitted, in accordance with law, to represent a party in an action pending in a superior court of the State of Georgia, and to any person proceeding pro se in an action pending in a superior court of this state. The word "attorney" is synonymous with "counsel" in these rules." Also see Georgia Supreme Court Rules, Rule 4(g) which also reads: "Pro Se Parties. The words 'counsel' and 'attorney' as used in these rules include pro se parties."

**CERTIFICATE OF SERVICE**

**COMES NOW, Dr. TONY L. WARE, PhD, JD**, the Plaintiff in the above-styled civil action and hereby certify that I have served the Defendant's counsel with Plaintiffs' DISMISSAL WITHOUT PREJUDICE by U.S. First Class Mail with proper postage thereon at the following address to wit:

Ms. Amy Lucy Hanna, Esq.  
Baker, Donelson, Bearman, Caldwell & Berkowitz  
Suite 1600, Monarch Plaza  
3414 Peachtree Road, NE  
Atlanta, Georgia 30326

Respectfully submitted this 3rd, day of April 2017.

  
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**Dr. Tony L. Ware, PhD, JD, PRO SE**  
**Attorney for the Plaintiff**

**Please Mail all Notices to:**

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